IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32827 of 2007(G)

PETITIONER:

G.K.MANI, MAHESH INDUSTRIES,
ADUTHALA P.O., KALLUVATHUKKAL,
KOLLAM.

BY ADV. SRI.S.SANTHOSH KUMAR
SMT.BABY JOSE

RESPONDENTS:
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1. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM - 13.

2. THE COMMERCIAL TAX OFFICER,
AUDIT ASSESSMENT, KOLLAM - 13.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, KOLLAM - 13.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 32827 OF 2007 G
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Dated this the 6th day of November, 2007

J U D G M E N T

Aggrieved by Ext.P1 order of assessment, petitioner filed Ext.P2 appeal and Ext.P3 stay petition. No orders have been passed on Ext.P3 stay petition and while so, revenue recovery proceedings have been initiated as per Ext.P4 and this is under challenge.

2. On a perusal of Ext.P1 order of assessment, tax due from the petitioner is Rs.4,68,934/- and recovery is sought to be effected along with the interest that has accrued thereon.

3. In view of the facts as stated above, I dispose of this writ petition directing that the 1st respondent shall consider and pass orders on Ext.P2 appeal filed by the petitioner, as expeditiously as possible, at any rate within a period of eight weeks of receipt of a copy of this judgment.

In the meantime, all further proceedings pursuant to recovery as per Ext.P4 shall be kept in abeyance on the

petitioner remitting an amount of Rs.2 lakhs within one month.

Petitioner shall produce a copy of this judgment before the 1st respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp